GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Police - Disciplinary action against Sri P.Eswara Rao, ARHC 283, DAR, Visakhapatnam, (now Retired) - Charges held Proved -Imposition of the Penalty of 10% (ten percent) cut in pension for a period of one (1) year duly treating the suspension period from 07.10.2017 to 30.01.2018 as 'Not on Duty'- Orders - Issued.

HOME (SERVICES.II) DEPARTMENT

G.O.Rt.No.917 Dated: 18-09-2020

Read the following:-

1. From the Director General of Police, Andhra Pradesh, Mangalagiri, Lr.Rc.No. 1075/T4/2018, dated. 26-10-2018.
2. Government Memo No.1984421/Ser.II.A2/2018-1, dt: 20-05-2019.
3. From the Director General of Police, Andhra Pradesh, Mangalagiri, Lr.Rc.No. 1075/T4/2018, dated: 17-07-2019.
4. Government Memo No.1984421/Ser.II.A2/2018-2, dt: 27-11-2019
5. From the Director General of Police, Andhra Pradesh, Mangalagiri, Lr.Rc.No. 1075/T3/2018, 18-05-2020.
6. From the Secretary, APPSC, Vijayawada, Lr.No.254/ DC&C/ 2020, dated 25.08.2020.

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ORDER:

In the letter 1st read above the DGP, A.P has informed that the Superintendent of Police, Visakhapatnam has stated that Sri P. Eswara Rao, Retd. ARHC- 283, DAR, Visakhapatnam was placed under suspension from 07-10-2017 to 30-01-2018 by the Superintendent of Police, Visakhapatnam vide proceeding C.No.2824/A6/2017, dated.06.10.2017 and was handed up on a major PR under Rule 20 of A.P. Civil Services [CC&A] Rules, 1991 for the following delinquency:

"On 05-10-2017 the above delinquents were deputed to Central Prison, Visakhapatnam with instructions to produce the U.T. Prisoners named by Ganta Subba Rao, S/o late Ramulu involved in Cr.No: 96/1997 u/s 147,148,302,307,324, r/w 149 IPC of Narasipatnam Town P.S. and Rowthu Mallesh in Cr.No:47/2016 u/s/457,380 r/w 34 IPC of Makavaripalem P.S. before the Hon'ble AJFCM Court, Narasipatnam.

Accordingly, the above the (3) delinquents took the custody of the above U.T. Prisoners from the Central prison, Visakhapatnam on the same day at about 9.00 hrs and produced them before the Hon'ble AJFCM Court, Narasipatnam on the same day at 12.00hrs and the U.T. prisoners were returned by the Hon'ble Magistrate at 14.00hrs after hearing.

Later, the delinquents along with the above UT. Prisoners left the Court premises and went to Dhanalakshmi Hotel, Narasipatnam to have lunch. While they were taking lunch, one of the UT Prisoner Ganta Subba Rao complained that he has a vomiting sensation, then, ARHC-953 K. Ganeswara Rao opened the hand cuffs of him and asked ARHC-283 to take him to the wash basin for cleaning. Suddenly the U.T. prisoner Ganta Subbarao pushed ARHC-283 aside and ran away from the Hotel. Then, the in-Charge ARHC-953 handed over the remaining UT Prisoner named Rowthy Mallesh to ARHC-283 and he made an attempt to chase the escaped UT Prisoner along with Civil HC-1158, but he ran away quickly and boarded in the private vehicle.

In this connection, the escort party in-charge ARHC-953 lodged a complaint at Narasipatnam Town Police Station. Basing on the Complaint of ARHC-953, a case in Cr.No:246/2017.u/s 224 IPC of Narasipatnam Town P.S. was registered by the S.H.O. Narasipatnam Town P.S. Later, the escort party handed over the remaining U.T.Prisoner Rowthu Mallesh to the Central Prison on 06-10-2017.

There upon the above (3) HCs were placed under suspension vide C.No:2842/A6/2017[D.O.No.1183, 1184@1185/2017] dt: 06-10-2017".

Charge: There by the above charged officers have exhibited gross neglect of duty which is unbecoming of Government Servants and violated Rule No:3 of APCS (Conduct) Rules, 1964.

2. The Assistant Superintendent of Police, Narasipatnam Sub Division, Visakhapatnam District who was appointed as Inquiry Officer conducted the Oral Enquiry against Charged PC Sri P. Eswara Rao, ARHC-283 and held the charge "proved" The minutes copy was served to the charged officer and ARHC-283 has submitted his `written statement of defence' on 11.07.2018. The Charged Officer retired on superannuation on 31.03.2018 and hence the Director General of Police, Andhra Pradesh, has forwarded the O.E record to Government for disposal of the P.R under Rule 9(2)(a) of Revised Pension Rules 1980.

3. Government have examined the report of the Enquiry Officer and accepted the findings of Enquiry Officer. Government have therefore provisionally decided to withhold 10% (Ten percent) of pension for a period of one year of the charged officer Sri P. Eswara Rao, Ret ARHC- 283, DAR, Visakhapatnam, treating the suspension period as 'Not on duty' under Rule 9(2)a of Andhra Pradesh Revised Pension Rules,1980. Accordingly, a show cause notice was issued to the charged officer vide reference 2nd read above and he has submitted his explanation vide reference 3rd read above.

4. After careful examination of the explanation of the individual, Government have decided to confirm the provisional decision of withholding of 10% (ten percent) of pension for a period of one year duly treating the suspension period from 07.10.2017 to 30.01.2018 AN, as "Not on duty" against Sri P. Eswara Rao, Ret ARHC- 283, DAR, Visakhapatnam (now Retired) under Rule 9 (2)a of A.P. Revised Pension Rules, 1980., for the charges held proved against him and the matter was referred to the A.P. Public Service Commission for its advice. The A.P. Public Service Commission, in their letter 6th read above, has agreed to the proposal of the Government.

5. Therefore, Government after careful examination of the matter and after taking into consideration the reply given by the individual hereby impose the penalty of 10% (ten percent) cut in pension for a period of one year duly treating the suspension period from 07.10.2017 to 30.01.2018 AN, as "Not on duty" against Sri P. Eswara Rao, ARHC- 283, DAR, Visakhapatnam (now retired). A copy of the reference 6th read above is communicated to the individual concerned, as per Rule 23 of APCS (CC&A) Rules, 1991.

6. The Director General of Police, A.P., Mangalagiri is requested to take necessary action in the matter accordingly. The original records received through the letter 1st read above are returned herewith and receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, A.P., Mangalagiri. (with records)
Copy to:-
The individual concerned. (Through the D.G.P., A.P., Mangalagiri.)
The Secretary, A.P. Public Service Commission, Vijayawada
The Accountant General of Andhra Pradesh, Hyderabad.
The Director of Treasuries & Accounts, Visakhapatnam.
The PS to Principal Secretary to Government, Home Department.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER